

JUN 20 2006

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FACSIMILE TRANSMISSION

To: Examiner Richard R. Shaffer
US PTO, Group Art Unit 3733

Fax Number: 571-273-8300

Date: June 20, 2006

Re: Ser. No. 10/806,188

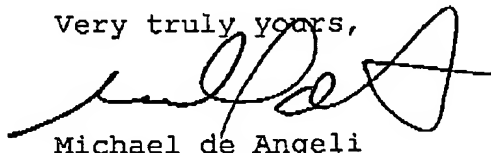
Total Pages (including this sheet): 10

Dear Examiner Shaffer:

Attached is a Corrected Amendment for this case, having been corrected as required by the Notice of Non-Compliant Amendment mailed June 9, 2006 (copy attached), which extended the period for response to the Office Action dated March 7, 2006 through July 7, 2006. Specifically, the text of the several withdrawn claims has been provided as required.

Favorable action is earnestly solicited.

Very truly yours,



Michael de Angeli

JUN 20 2006

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/806,188

Applicant(s)

Examiner

Art Unit

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 06 June 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☒ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment, an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

E. PAYTON

571-272-4382

Legal Instruments Examiner (LIE), if applicable

Telephone No.

U.S. Patent and Trademark Office

Part of Paper No.

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JUN 20 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Patent Application of :
:
Dallara et al : Examiner: Shaffer
:
Serial No.: 10/806,188 : Group Art Unit: 3733
:
Filed: March 23, 2004 : Att. Dkt.: LINV-231
:
For: DILATOR FOR BONE TUNNELS

Hon. Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria VA 22313-1450

CORRECTED AMENDMENT

Sir:

In response to the Office Action mailed March 7, 2004,
kindly amend the above-identified application as follows:

Kindly amend the specification as follows:

Amend the paragraph extending between pages 12 and 13 to read as follows:

In the embodiment of Figs. 1 - 5 (and that of Figs. 8 - 10, if similarly provided with cooperating threads) this is performed by rotating the threaded tapered core member a number of times, whereby the cooperating threads on the knob and core member urge the core member along the lumen between the segments, and so that the cooperating tapers formed thereon force the ~~segments~~ segments outwardly. The rotation can be accomplished manually or by a powered tool.